

# *Town of Horicon Zoning Board of Appeals*

## **Variance Instructions**

### Section 16 - Town of Horicon Zoning and Project Review

1. Attach your Zoning Compliance application Denied by the Town of Horicon Zoning Administrator. If this is variance application for a Subdivision, Conditional Use, Site plan or Special use permit a denial is **not** required.

2. Fill out and return **Eight (8) copies** of the application and all relevant materials to the Town of Horicon Zoning & Planning Office.

A) Deadline for applications is a **minimum of 14 days prior** to the regularly scheduled meeting. The ZBA meetings are held on the fourth Tuesday of each month at 7:30 PM.

3. A plot plan of the lot, drawn to scale must be attached, indicating the location and size of the lot, size and location of the proposed improvement(s) thereon and any size and location of proposed improvement(s) to be erected thereon. **Eight (8) copies**.

4. If application is being represented by someone other than the owner of record, then the AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER must be completed, notarized and attached to this application, **Eight (8) copies**.

5. Include deed(s) to parcel(s). **Eight (8) copies**.

6. Complete an Environmental Assessment form (if applicable) Part 1 ONLY, **Eight (8) copies**.  
(Download Form from [dec.state.ny.us](http://dec.state.ny.us) or [horiconny.gov](http://horiconny.gov) website).

7. Enclose a check for \$100.00 made payable to the Town of Horicon.

8. Place batter stakes (if applicable) at the site location for inspection by the Zoning Administrator.

9. Are there any additional documents presented as part of this application?

YES NO \* If yes, then mark all additional documents as Exhibit A, Exhibit B, etc.

### **Check List:**

- 1) Zoning Compliance Certificate Denial (if applicable) \_\_\_\_\_
- 2) Application \_\_\_\_\_
- 3) Plot Plan \_\_\_\_\_
- 4) Authorization Form (if applicable) \_\_\_\_\_
- 5) Deed(s)\_\_\_\_\_
- 6) Environmental Assessment Form (if applicable) \_\_\_\_\_
- 7) Payment \_\_\_\_\_
- 8) Batter Stakes (if applicable)\_\_\_\_\_
- 9) Additional Documents (if applicable)\_\_\_\_\_

# Town of Horicon ZBA

PO Box 90  
Brant Lake, NY 12815  
(518) 494-4245 Fax (518) 494-5240  
horiconzoning2003@yahoo.com

Application # \_\_\_\_\_

Date Received \_\_\_\_\_

Date deemed complete \_\_\_\_\_

Decision \_\_\_\_\_ Date \_\_\_\_\_

## Variance Application

Property Owner's Name : \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

The applicant's appeal from a decision from the Zoning Administrator, concerns the following:

\_\_\_\_\_ Denial of an application for a Zoning Compliance Certificate (Building Permit) - Attached

Other: explain: \_\_\_\_\_

Applicable Section(s) of Zoning Code: Section \_\_\_\_\_

Location of Property: (911 address) \_\_\_\_\_

Applicant's/ Contractor's/Agent/Representative's Name (if Applicable) \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number(s) \_\_\_\_\_

**Application is being made for:** (circle one)      **Area**      **Variance**      **Use Variance**

Other: \_\_\_\_\_

Tax Map Number or S/B/L: \_\_\_\_\_

**Zone Classification & Acres:** \_\_\_\_\_

If parcel is in multiple zones please indicate all zones.

CR-20,000 sq. ft,	CR-20,000 sq. ft,	CR-3.2 acres,		
R1-20,000 sq. ft,	R1-1.3 acres,	R1-2 acres,	R1-3.2 acres,	R1-10 acres,
	R1A-32. acres,	R1A-5 acres,		
R2-2 acres,	R2-3.2 acres,	R2-5 acres,	R2-10 acres,	
	LC-10 acres,	LC-42.6 acres,		
	RRD-3.2 acres,	RRD-5 acres,	RRD-10 acres.	

What do you want to accomplish with this variance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

State what type and size of variance you are requesting, (check all that apply):

	Type of Variance Requested	Requirement	Amt of Variance Applied For	Variance Request
	Density (Acreage)			
	Shoreline frontage			
	Shoreline setback			
	Roadway frontage			
	Roadway setback			
	Front Yard setback			
	Rear Yard setback			
	Side Yard setback			
	Dock Surface Area			
	Dock Length			
	Dock Design	T,L,U,F or straight line		

Current use of property:(residential, undeveloped, commercial- List ALL structures that are present on this parcel today):

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Any additional comments concerning this variance request? \_\_\_\_\_

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Is lot in question within **500** feet of a **County or State Road**, Right of Way or Park, Municipal Boundary, watershed draining, any County or State Facilities requiring review of the Warren County Planning Board?

**YES    NO**

County and State Roads:

- State Rte 8
- Palisades Rd #26
- East Shore Dr #15
- Valentine Pond Rd #55
- Horicon Ave #31
- East Schroon River Rd #64
- Market St #33
- Watering Tub Rd #53

**Adirondack Park Agency (APA) questions:**

1) Are there wetlands on the property? YES NO UNKNOWN

**IF YES,** \_\_\_\_\_Acres/Sq Ft.

**IF UNKNOWN,** have you contacted the APA to inquire if wetlands exist on parcel or requested a site review to flag possible wetlands? YES NO

2) Is an Adirondack Park Agency (APA) permit required? YES NO UNKNOWN

**IF YES,** Have you applied for an APA permit? YES NO  
please attach correspondence you have had with the APA.

**IF UNKNOWN,** have you applied for an APA Jurisdictional determination or had contact with the APA for determination? YES NO

**IF YES,** please attach application for jurisdictional determination.

**IF NO,** explain\_\_\_\_\_

Are additional documents presented as part of the application? YES NO

IF YES, please mark all additional documents as Exhibit A, Exhibit B etc.

***Notice is hereby given that in the event the Town of Horicon determines that technical assistance is needed to review the project, the reasonable and necessary expenses associated with such review shall be borne by the project applicant.***

I, We hereby authorize the Town of Horicon, it's employees and authorized agents access to the property for purpose of inspection.

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**Applicant's Signature**

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**Date**

*The following information must be provided in detail (on separate sheets if necessary).*

## **Area Variance**

*Applicant must demonstrate that the Ordinance imposes a practical difficulty on the property.*

Board may grant minimum variances necessary and may impose reasonable conditions.

**A.** The strict application of the Zoning Ordinance would result in the following practical difficulty:

Explain: \_\_\_\_\_

\_\_\_\_\_

**B.** Will there be an undesirable change in neighborhood character or to nearby properties?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**C.** Will there be an adverse physical or environmental effect?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**D.** Are there any feasible alternatives?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**E.** Is the variance requested the MINIMUM VARIANCE in which would alleviate the identified practical difficulty?    YES    NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**F.** Other Comments: \_\_\_\_\_

\_\_\_\_\_

*The following information must be provided, in detail (on separate sheets if necessary).*

## **Use Variance**

*Applicant must prove that the Ordinance imposes unnecessary hardship on the property.*

Board may grant minimum variances necessary and may impose reasonable conditions.

**A.** Is a reasonable return possible if land is used as zoned? YES NO

*Please include competent financial evidence:*

Explain: \_\_\_\_\_

\_\_\_\_\_

**B.** Is the application of the zoning requirements of this district resulting in problems unique to the property in question? YES NO

Explain: \_\_\_\_\_

\_\_\_\_\_

**C.** Will there be an adverse effect on the character of the neighborhood? YES NO

Explain: \_\_\_\_\_

\_\_\_\_\_

## **AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER**

I, \_\_\_\_\_, the owner of record of the property described in this application hereby empower, \_\_\_\_\_ to act as my agent and representative in conducting presentations to the necessary board(s) and in deliberations with the board(s) pertaining to my application.

As my agent, He/She is empowered to act on my behalf in full. In so doing I, the owner applicant, understand that I am bound by any conditions imposed on my project and agreed to by my agent or by conditions or restrictions imposed by my agent as part of the presentation.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Agent/Representative

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Notary